

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

GINA TORRES and DENNIS L. TORRES,	)	
	)	
Plaintiffs,	)	
	)	Case No. 4:19-cv-01525-DDN
vs.	)	
	)	
CITY OF ST. LOUIS, LANCE COATS,	)	
GLENNON P. FRIGERIO, JOSHUA D.	)	
BECHERER, NICHOLAS J. MANASCO,	)	
RONALD ALLEN JR., JOHN C. JONES,	)	
MARK S. SEPER, JON B. LONG and	)	
TIMOTHY BOYCE,	)	
	)	
Defendants.	)	

**PLAINTIFFS' RULE 26(a)(1) INITIAL DISCLOSURES**

COME NOW Plaintiffs Gina Torres and Dennis Torres, by and through undersigned counsel, and submit the following pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure.

**Rule 26 (a)(1)(i) Individuals likely to have Discoverable Information Plaintiffs may call**

- 1) Gina Torres  
5414 S. Kingshighway, St. Louis, MO 63109; (314) 660-3403  
Isaiah Hammett's mother; daughter of Dennis Torres
- 2) Dennis L. Torres  
5414 S. Kingshighway, St. Louis, MO 63109; (314) 353-1302  
Isaiah Hammett's grandfather; was inside the house at the time of the incident
- 3) Maria Torres  
Will supplement address/phone number; Isaiah Hammett's aunt; found the box from the AK47 in the trash can after the incident
- 4) Mrs. Colette Morton  
St. Louis Public Schools  
Isaiah Hammett's sophomore Honors English Teacher who can attest to Isaiah's character and academics

The following is a list of the individuals whose collective address is the St. Louis Metropolitan Police Department, First District, South Patrol Division located at 3157 Sublette, St. Louis, MO 63139, (314) 444-0100; and/or Headquarters, 1915 Olive St., St. Louis, MO 63103, (314) 231-1212, respectively.

- 5) Officer Benjamin R. Lacy, DSN 7978/301  
He applied for the search warrant and performed a briefing of the SWAT Unit prior to the incident; seized evidence/property for Supplemental Report and provided the Narrative for the Supplemental Report – Type: Additional Information; prepared an Intra-Department Report and Correspondence Sheet for the Supplemental Report
- 6) Officer Lance Coats, DSN 5623  
Stated he heard shots once he was inside the house
- 7) Officer Glennon P. Frigerio, DSN 11006  
Stated as soon as he entered the house he heard shots being fired
- 8) Officer Joshua D. Becherer, DSN 7667  
Stated he was the second officer in the line and in charge of the flash bang
- 9) Officer Nicholas J. Manasco, DSN 6926  
Stated he went in second, was standing in front of officer 3
- 10) Officer Ronald Allen, Jr., DSN 6555  
Stated he was still on front porch when shots started being fired
- 11) Sergeant John C. Jones, DSN 6939  
Stated 5 or 6 officers made it inside when the gunshots started, he was still on the front porch but walked inside
- 12) Officer Mark S. Seper, DSN 7592  
Stated he and officer 3 were able to get inside and move left through living room while firing shots
- 13) Officer Jon B. Long, DSN 8855  
Went in first with the ballistic shield
- 14) Officer Timothy Boyce, DSN 7824  
He was the breacher; prepared an Intra-Department Report and Correspondence Sheet for the Supplemental Report
- 15) Officer Brandon Moore, DSN 7042-461  
He was the “assistant” breacher; prepared an Intra-Department Report and Correspondence Sheet for the Supplemental Report

- 16) Officer Daniel Cora, DSN 8784/461  
He placed a ballistic shield on the front window of the residence; prepared an Intra-Department Report and Correspondence Sheet for the Supplemental Report
- 17) Officer Michael Flatley, DSN 11147  
He drove the Department Sprinter Van to the Big Lots parking lot for briefing; he also observed the surveillance camera on the residence; prepared an Intra-Department Report and Correspondence Sheet for the Supplemental Report
- 18) Officer Bennie Blackmon, DSN 5646/461  
He was assigned to the dog pole and placed in the rear of the stack; prepared an Intra-Department Report and Correspondence Sheet for the Supplemental Report
- 19) SWAT Lieutenant Timothy Sachs, DSN 1835  
Stated that Dennis Torres was escorted out of the residence after the incident
- 20) Lieutenant Roger Engelhardt, DSN 3786  
Responded to the scene relative to an Officer Involved Shooting; conducted the interviews of Officers Lance Coats, Glennon Frigerio, Joshua Becherer, Nicholas Manasco, Ronald Allen, Sergeant John Jones, Mark Seper and Jon Long
- 21) Detective Steven Burle, DSN 3390  
Responded to the scene; interviewed Plaintiff Dennis L. Torres at the scene; interviewed witness Kevin Broccard, Mark Fendler, Johnny Wysinger, and Debra Hammond
- 22) Detective Robert Jauer, DSN 5155  
Responded to the scene; interviewed Plaintiff Dennis L. Torres at the scene; interviewed witness Kevin Broccard, Mark Fendler, Johnny Wysinger, and Debra Hammond
- 23) Detective Robert Skaggs, DSN 6525  
Responded to the scene; retrieved a rifle which was laying on the floor alongside Isaiah M. Hammett
- 24) Detective Jamie Simpher, DSN 5765  
Responded to the scene; prepared Property –Evidence Reports regarding property seized from the scene
- 25) Detective Sergeant John Russo, DSN 4413  
Responded to the scene to assist with a canvass relative to the Police Involved Shooting; interviewed witnesses Donna Parks, John Hampton, Jim Lange, and Tonia Collins; prepared an Intra-Department Report and Correspondence Sheet for the Supplemental Report

- 26) Kelsey (last name unknown)  
Address unknown; (314) 757-8543  
She was driving up Eichelberger at the time of the incident and saw police officers outside Isaiah Hammett's bedroom window
- 27) Kevin Broccard  
6751 Eichelberger St., St. Louis, MO 63109; (314) 392-3278  
He provided Detectives Burle and Jaurer with his cell phone video recording in an interview
- 28) Mark Stephen Fendler  
5418 S. Kingshighway Blvd., St. Louis, MO 63116; (314) 352-9539  
Neighbor of Dennis Torres, gave statement to Det. Burle and Jauer
- 29) Johnny Wysinger  
5419 S. Kingshighway Blvd., Apt. 2FL, St. Louis, MO 63116; (314) 659-8185  
Neighbor of Dennis Torres, gave statement to Det. Burle and Jauer
- 30) Debra Ann Hammond  
5419 S. Kingshighway Blvd., St. Louis, MO 63116; (314) 226-9819  
Neighbor of Dennis Torres, gave statement to Det. Burle and Jauer
- 31) Donna Parks  
Business Address: 5500 S. Kingshighway Blvd., St. Louis, MO 63109  
Home Address: 13506 Bahnfyre Dr., St. Louis, MO 63128; (314) 353-2202  
Was at the Finale store near the scene, gave statement to Sgt. John Russo
- 32) John Hampton  
Business Address: 5502 S. Kingshighway Blvd., St. Louis, MO 63109  
Home Address: 3935 Nebraska Ave., St. Louis, MO 63118  
Home Phone (314) 412-6895; Business Phone (314) 351-6108  
Owner of Hampton Flooring and was outside near the scene, gave statement to Sgt. John Russo
- 33) Jim Lange  
Business Address: 5502 S. Kingshighway Blvd., St. Louis, MO 63109; (314) 952-9445  
Employee of Hampton Flooring and was outside near the scene, gave statement to Sgt. John Russo
- 34) Tonya Collins  
5502 S. Kingshighway Blvd., Apt. 2F, St. Louis, MO 63109; (314) 565-2924  
Neighbor of Dennis Torres, gave statement to Sgt. Russo
- 35) Paramedic Derek \_\_\_ieger(?) PI5286  
City EMS - Pronounced Isaiah Hammett deceased

- 36) Paramedic Josh Phillips, B51239  
City EMS  
Pronounced Isaiah Hammett deceased
- 37) Paramedic Nick Kuehner, P20310 – EMS Medic #10  
Responded to the scene per Trip Sheet #35158, in order to check vitals of Plaintiff Dennis L. Torres
- 38) Firefighter Zachary White, Badge #300  
Responded to the scene per Trip Sheet #35158, in order to check vitals of Plaintiff Dennis L. Torres
- 39) Intelligence Detective Christopher Flaughter, DSN 6831  
Emailed the Firearms Trace Summary report regarding rifle found next to Isaiah M. Hammett
- 40) Communications Supervisor Cliff Harper, DSN 2068  
Transferred all 911 calls and radio communications during the incident to CD
- 41) Joseph Busso, Mobile Reserve/SWAT, DSN 7942/341  
Present at the scene acting as a member of the SWAT team assigned to be behind Officer Frigerio in the stack; prepared an Intra-Department Report and Correspondence Sheet for the Supplemental Report
- 42) Daniel Book, DSN 7270/341  
Present at the scene and was assigned as the 8<sup>th</sup> operator to make entry; prepared a report for the Supplemental Report
- 43) Tara M. Rick  
City of St. Louis Medical Examiner's Office, 1300 Clark Avenue, St. Louis, MO 63103; (314) 622-4971; Investigator, responded to the scene and initiated Post-Mortem Examination, Case #2017-1352
- 44) Erin Ely, M.D.  
City of St. Louis Medical Examiner's Office, 1300 Clark Avenue, St. Louis, MO 63103; (314) 622-4971; Pathologist, Assistant Medical Examiner Post-Mortem Examination, Case #2017-1352
- 45) Juliette Scantlebury, M.D.  
City of St. Louis Medical Examiner's Office; 1300 Clark Avenue, St. Louis, MO 63103; (314) 622-4971  
Assistant Medical Examiner Post-Mortem Examination, Case #2017-1352
- 46) Jamie C. Simpher, DSN 670  
Provided the Supplemental Report – Type: Follow up – Narrative

- 47) Bobby D. Baine, DSN 5134  
Seized evidence property for Supplemental Report
- 48) Robert J. Muffler, Supervisor/Commander DSN 433  
Seized evidence property for approval for Supplemental Report
- 49) Jerone T. Jackson, Supervisor/Commander DSN 604  
Seized evidence property approval for Supplemental Report; Type: Follow up Report
- 50) Douglas Eatherton, Supervisor/Commander DSN 670  
Supplemental Report – Type: ETU Report

The following were also present on the scene at 5414 S. Kingshighway Blvd.:

- 51) Colonel Lawrence O'Toole, DSN 2202, Interim Chief of Police
- 52) Colonel Gerald Leyshock, DSN 1770, Commander of Bureau of Professional Standards
- 53) Major Rochelle D. Jones, DSN 2166, Deputy Commander Bureau of Operations
- 54) Major Kenneth Kegel, DSN 1768, Deputy Commander Bureau of Enforcement
- 55) Major Daniel Howard, DSN 2787, Commander of South Patrol Division
- 56) Captain Steven Mueller, DSN 2170, Commander of the First District
- 57) Sergeant Thomas Bottini, DSN 1839, Office of the Assistant Chief
- 58) Sergeant Keith Barrett, DSN 4510, Office of the Chief
- 59) Lieutenant William Kiphart, DSN 4669, District personnel
- 60) Sergeant Jerry Latimore, DSN 6204, District personnel
- 61) Sergeant Steven Schwerb, DSN 5494, District personnel; present at the briefing
- 62) Detective Thomas Kranz, DSN 4125, District personnel; prepared an Intra-Department Report and Correspondence Sheet for the Supplemental Report
- 63) Police Officer Scott Grusewitz, DSN 11150, District personnel, present at the briefing; prepared an Intra-Department Report and Correspondence Sheet for the Supplemental Report

- 64) Police Officer Lindsey Wethington, DSN 5090, District personnel; staged close by the scene acting as a cover car; prepared an Intra-Department Report and Correspondence Sheet for the Supplemental Report
- 65) Police Officer Keith Burton, DSN 0849, District personnel; conducting surveillance of the residence from a covert vehicle; prepared an Intra-Department Report and Correspondence Sheet for the Supplemental Report
- 66) Police Officer Steven Landers, DSN 8156, District personnel; present at the briefing; prepared an Intra-Department Report and Correspondence Sheet for the Supplemental Report
- 67) Police Officer Larry Wentzel, DSN 11030, District personnel; staged close by the scene acting as a cover car; prepared an Intra-Department Report and Correspondence Sheet for the Supplemental Report
- 68) Police Officer Brian DeMatteis, DSN 0967, District personnel
- 69) Police Officer Christopher Rumpsa (?), DSN 6495, District personnel
- 70) Police Officer Hajrudin Ducanovic, DSN 7027, District personnel
- 71) Police Officer Samuel Rachas, DSN 11097, District personnel
- 72) Police Officer Corey Zinkl, DSN 11166, District personnel
- 73) Police Officer Oliver Poggioli, DSN 7050, District personnel
- 74) Police Officer Igor Kahrimanovic, DSN (?), District personnel
- 75) Police Officer Daniel Kim, DSN 4897, District personnel
- 76) Police Officer Keith Shelton, DSN 8022(?), District personnel
- 77) Police Officer Jon Amesquita, DSN 11415, District personnel
- 78) Police Officer Josiah Young, DSN 11438, District personnel
- 79) Police Officer Mark Taylor, DSN 3782, District personnel
- 80) Police Officer Richard van Deutekos(?), DSN 5342, District personnel
- 81) Police Officer Alan Hutchcraft, DSN 6885, District personnel
- 82) Police Officer Gregory Kleissle, DSN 8147, District personnel

- 83) Police Officer Alan Malone, DSN 11511, District personnel
- 84) Police Officer Joseph Sasenger, DSN 11100, District personnel
- 85) Police Officer Owen Hill, DSN 3689, District personnel
- 86) Police Officer Mark Pfeiffer, DSN 6593, District personnel
- 87) Police Officer Ashley Smith, DSN 7274, District personnel
- 88) Police Officer Lindsay Anderson, DSN 7932, District personnel
- 89) Police Officer Brian Bianchi, DSN 8071, District personnel
- 90) Police Officer Patrick Daut, DSN 5828, District personnel
- 91) Police Officer Lavelle Bell, DSN 11002, District personnel
- 92) Police Officer Luke McDonnell, DSN 11480, District personnel
- 93) Police Officer Mark West, DSN 4316, District personnel
- 94) Police Officer Andrew Collier, DSN 6502, District personnel
- 95) Lieutenant Paul Lauer, DSN 3770, Traffic personnel
- 96) Police Officer Eric Moran, DSN 8753, Traffic personnel
- 97) Police Officer Matthew Wieczorek, DSN 8039, Traffic personnel
- 98) Police Officer David Minor, DSN 3622, Traffic personnel
- 99) Police Officer Duane Hollinshed(?), DSN 6562, Traffic personnel
- 100) Sergeant Brian King, DSN 4898, Crime Laboratory personnel
- 101) Police Officer Jennifer Sommers, DSN 5551, Crime Laboratory personnel;  
Supplemental Report – Type: ETU Report
- 102) Police Officer Trimeko Condra, DSN 7671, Crime Laboratory personnel
- 103) Police Officer Kelly Tippet, DSN 5261, Crime Laboratory personnel
- 104) Rachel Smith, Assistant Circuit Attorney
- 105) Michael Indelicato(?), Investigator from the Circuit Attorney's Office



- 106) Wendy Parker, Investigator from the Circuit Attorney's Office
- 107) Sergeant Amy-Parker Stayton, DSN 6344, Internal Affairs Division
- 108) Bernard Jordan, DSN 4295, Internal Affairs Division
- 109) Jamie C. Simpher, DSN 670  
Provided the Supplemental Report – Type: Follow up - Narrative

**Rule 26 (a)(1)(ii) Documents in Plaintiffs Possession or Control**

- 1) St. Louis Metropolitan Police Incident Report CN 17-027659 and Supplemental Reports, Intra-Department Report and Correspondence Sheets, including but not limited to, any and all photographs, laboratory reports, videos, audio, statements, transcripts, 911 and Radio calls, firearms ballistics and any other and all investigative material associated with Incident Report No. CN 17-027659
- 2) Office of the Medical Examiner, City of St. Louis, Post-Mortem Examination and Pathology Findings of Isaiah Michael Hammett, p. 1-15
- 3) Certification of Death of Isaiah Michael Hammett
- 4) City Counselor's Office Problem Properties Unit concerning 5414 S. Kingshighway
- 5) Circuit Court of the City of St. Louis, Missouri - Search Warrant for 5414 S. Kingshighway Blvd., St. Louis, MO 63116 dated May 31, 2017
- 6) Triple Threat Armory Sales, LLC Sales Receipt dated May 12, 2017
- 7) United States District Court – Eastern District of Missouri - Search and Seizure Warrant dated October 23, 2017
- 8) Lab Report #1: Crime Scene Examination - p. 1-17
- 9) Technical/Administrative Review-ETU – p. 1-1
- 10) Investigators Notes – p. 1-22
- 11) Investigators Diagrams – p. 1-3
- 12) SLMPD Photographic Work Order Completion – p. 1-13
- 13) Lab Report #3: Biological Screening - p. 1-7
- 14) Biology Case Notes – p. 1-2
- 15) Technical/Administrative Review-Biology – p. 1-1
- 16) Lab Report #4: DNA Analysis – p. 1-4
- 17) DNA Analysis Data Sheets – p. 1-49
- 18) Technical/Administrative Review – p. 1 of 11
- 19) Lab Report #5: Drug Identification - p. 1-3
- 20) SLMPD Crime Laboratory Controlled Substance Analysis Notes – p. 1-2
- 21) Technical/Administrative Review – p. 1-1
- 22) Lab Report #8: Process for Prints – p. 1-6
- 23) Processing for Prints Case Notes – p. 1-4
- 24) Technical/Administrative Review Checklist–Process for Prints – p. 1-1
- 25) Lab Report #9: Firearm Comparison – p. 1-65
- 26) Firearms Worksheet – p. 1-115
- 27) Technical/Administrative Review–Firearm/Tool Mark Section – p. 1-1
- 28) Lab Report #10: Latent Print Examination – p. 1-3

- 29) Latent Evidence Worksheet – p. 1-4
- 30) Technical/Administrative Review Checklist-Latent Print Examinations – p. 1-1
- 31) SLMPD Photo's Work Order Receipt (for CDs and Prints) – p. 1-7
- 32) Office of Medical Examiner City of STL Lab Demographics and Evidence List – p. 1-2
- 33) SLMPD Evidence Receipt-Lab/Identification – p. 1-5
- 34) SLMPD Main Case Report – p. 1-6
- 35) SLMPD Case Chain of Custody Report – p. 1-98
- 36) SLMPD Physical Evidence List – p. 1-4
- 37) STL Police Department Item Listing – p. 1-3
- 38) SLMPD Crime Lab Firearms Section Notice of NIBIN Entry – p. 1-1
- 39) Firearms Trace Summary – p. 1-2
- 40) Public Nuisance Records; Calls for Service – p. 1-4
- 41) Public Nuisance Notice with Occupancy List Form 9/9/14 – p. 1-5
- 42) Photos of house with Notice and Form on door (Posting Date: 9/12/2014) – p. 1-2
- 43) Property Owner Meeting Sign-In Sheet for South Patrol (9/23/14) – p.1-1
- 44) Failure to Abate issued to Dennis Torres/Court set for 8/31/15 (Kavanaugh email) – p.1-1
- 45) Public Nuisance Notice with Occupancy List Form 9/15/15 – p. 1-5
- 46) Photo of house with Notice and Form on door (Posting Date: 9/15/2015) – p. 1-1
- 47) Public Nuisance Notice with Occupancy List Form 6/30/17 – p. 1-5
- 48) Property Owner Meeting Sign-In Sheet for South Patrol (7/20/17) – p. 1-1
- 49) Letter from Mrs. Colette Morton - Isaiah Hammett English Teacher

#### **Rule 26 (a)(1)(iii) Computation of Plaintiffs Damages**

Wrongful death damages in the amount of \$10,000,000.00 for the violation of decedent's and plaintiffs civil rights and decedent's pain and suffering and fear and for plaintiffs' loss of the reasonable value of the services, comfort, companionship, instruction, guidance, counsel, training and support of Isaiah M. Hammett by reason of such death, further including past and future lost income, household services and the value of benefits which would have been provided by decedent, and damages sustained by plaintiffs as the result of the wrongful conduct of the defendants, and funeral and cremation expenses of approximately \$20,000.00.

Punitive damages in an amount sufficient to punish and deter these defendants and others similarly situated. Reasonable attorneys' fees and costs of this action in an amount not less than \$75,000.00. Prejudgment and post judgement interest.

#### **Rule 26 (a)(1)(iv) Insurance**

Defendants have not asserted any counterclaims for damages against plaintiffs and, accordingly, there are no applicable insurance policies which might be available to satisfy any judgment against plaintiffs.

DOWD & DOWD, P.C.

By: /s/ Richard K. Dowd  
Richard K. Dowd (33383)  
Alex R. Lumaghi (56569)  
211 N. Broadway, Suite 4050  
St. Louis, MO 63102  
(314) 621-2500  
(314) 621-2503 Facsimile  
rdowd@dowdlaw.net  
alex@dowdlaw.net  
*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing was sent via email to all counsel of record this 15<sup>th</sup> day of October, 2019.

Erin K. McGowan  
Andrew D. Wheaton  
Associate City Counselors  
Julian Bush City Counselor  
City Hall, Room 314  
St. Louis, MO 63103  
wheatona@stlouis-mo.gov  
mcgowane@stlouis-mo.gov  
*Attorneys for Defendants*

/s/ Richard K. Dowd